

HOUSE BILL 3314
By Venable

AN ACT relative to the authority of Johnson County to provide for
the protection of mountain ridges.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as "The Mountain Ridge
Protection Act of Johnson County."

SECTION 2. As used in this act, unless the context otherwise requires:

(a) "Crest of a protected mountain ridge" means the uppermost line of a mountain or
chain of mountains from which the land falls away on at least two (2) sides to a lower
elevation, has an elevation of three thousand feet (3000'), and has an elevation which is
five hundred (500) or more feet above the elevation of an adjacent valley floor.

(b) "Map" means any drawing or document based on information provided by the
United States Geological Survey.

SECTION 3. No building in Johnson County may protrude more than thirty-five feet (35')
above the crest of a protected mountain ridge. This restriction applies to the uppermost portion
of the roof and not protruberances such as chimneys, flag poles or the like, nor does it include
equipment used for the transmission of electricity, communications or other public utilities.

SECTION 4. A map identifying the crests of protected mountain ridges within Johnson
County shall be filed with the board of county commissioners and with the register of deeds in
Johnson County where it will be made available for inspection during regular business hours.

SECTION 5. It is the intent and purpose of this act to grant the governing body of Johnson County the authority to enforce the provisions of this act through a five hundred dollar (\$500) civil penalty to be assessed for each separate violation. In addition, any person injured by a violation or any person who resides in the county may bring a civil action against the person alleged to be in violation. The General Sessions Court, in issuing any final order, may award all costs of litigation to the plaintiff in any case in which the plaintiff prevails.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Johnson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of Johnson County and certified by him to the secretary of state.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.